

## **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed January 3, 2007. At the time of the Office Action, Claims 1-20 were pending in this Application. Claims 1-20 were rejected. Claims 1, 2, 5, 7, 9-12, 15, 17, and 20 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

### **Claim Objections**

Claims 1, 9, 10, 12, 15 and 17 were objected to due to informalities. Applicants amend Claims 1, 9, 10, 12, 15 and 17 to overcome these objections. With respect to Claim 15, the Examiner noted that this Claim has to be rewritten and referred to Claim 11 objections. However, no objections with respect to Claim 11 have been included in the Office Action. Applicant reviewed these Claims and tried to clarify these Claims.

### **Rejections under 35 U.S.C. § 112**

Claims 4, 5, 7, 9, 10, and 17 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants amend these Claims to overcome these rejections and respectfully request full allowance of these Claims as amended.

### **PTO Form 892**

Applicants would like to bring to the Examiner's attention that Claim 20 has been rejected under 35 U.S.C. § 102(e) as being unpatentable in view of U.S. Patent 6,593,807 issued to William Harris Groves, Jr., however, this reference has not been identified on a PTO-Form 892, nor was it a reference submitted by Applicants on a PTO-Form 1449. Applicants respectfully request that U.S. Patent 6,593,807 be listed on a PTO-Form 892 in the next action.

**Rejections under 35 U.S.C. § 102**

Claim 20 was rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,593,807 issued to William Harris Groves, Jr. et al. (“Groves”). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “the identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicant respectfully submits that the cited art as anticipated by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

Applicant amended this claim to be dependent on method Claim 17. Therefore, Applicant believes that this Claim is now allowable.

**Allowable Subject Matter**

Applicants appreciate Examiner’s consideration and indication that Claims 1-19 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, as set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims. Applicants amended these Claims accordingly as stated above.

### **CONCLUSION**

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Andreas Grubert at 512.322.2545.

Respectfully submitted,  
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